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FREEDOM IN THE WORLD

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Russia

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TREND ARROW:

Russia received a downward trend arrow due to increased repression of two vulnerable minority groups in 2013: the LGBT community, through a law prohibiting “propaganda of nontraditional sexual relations,” and migrant laborers, through arbitrary detentions targeting those from the Caucasus, Central Asia, and East Asia. Both efforts fed public hostility against these groups.

OVERVIEW:

President Vladimir Putin devoted 2013 to strengthening his grip on power and eliminating any potential opposition. The government enforced a series of harsh laws passed the previous year in response to massive opposition protests in December 2011 and May 2012. Among other restrictions, the laws increased controls on the internet, dramatically hiked fines for participating in unsanctioned street protests, expanded the definition of treason, and branded nongovernmental organizations (NGOs) that accepted foreign grants and engaged in vaguely defined “political activities” as “foreign agents.” Although the authorities applied these measures with varying degrees of zeal, and even suffered some setbacks in the Constitutional Court, they repeatedly made it clear that they had the discretion to interpret the laws, and that members of civil society were always vulnerable.

In the face of this repression, opposition leader Aleksey Navalny demonstrated that it was possible to inspire an army of volunteers, raise money online for an opposition movement, and win more than a quarter of the votes in the Moscow mayoral election in September. Many civil society groups also demonstrated resilience by going about their business even as the government harassed and tried to marginalize them. However, Navalny and others operated under the threat of ongoing criminal cases or suspended prison sentences. Economist Sergey Guriyev was the most prominent figure to choose exile during the year rather than face such repercussions.

With the cooperation of the Russian Orthodox Church, the Kremlin also sought to bolster its popular support by scapegoating immigrants and minorities in Russian

2014 SCORES

STATUS

Not Free

FREEDOM RATING
(1 = BEST, 7 = WORST)

5.5

CIVIL LIBERTIES
(1 = BEST, 7 = WORST)

5

POLITICAL RIGHTS
(1 = BEST, 7 = WORST)

6

society. Putin signed laws in June and July that effectively outlawed LGBT (lesbian, gay, bisexual, and transgender) activism and expression and banned gay couples in foreign countries from adopting Russian children. The government's hostile stance encouraged a spate of homophobic attacks across the country. Meanwhile, police carried out a series of raids against irregular migrants, including after xenophobic rioting in October that came in response to the alleged murder of an ethnic Russian by an Azerbaijani. The riots reflected popular complaints that the police and other officials were corrupt and incompetent, and failed to protect the local population.

Late in the year, Putin issued a series of amnesties, releasing dissident businessman Mikhail Khodorkovsky, held for 10 years; two members of the antigovernment performance group Pussy Riot; 30 Greenpeace activists, who had been facing trial since September; four of the protesters arrested in the May 2012 Bolotnaya Square demonstrations; and thousands of lesser-known inmates. The amnesties seemed designed to boost Russia's worsening international image on the eve of the February 2014 Sochi Winter Olympics. However, of the 70 people that the human rights group Memorial identified as political prisoners in October, 33 remained in jail or under house arrest at the end of the year. Among these were Khodorkovsky's business partner, Platon Lebedev, and many of the Bolotnaya protesters. The upcoming Olympics put Russia's human rights record in the spotlight throughout the year, but the regime continued to harass a wide range of individuals who criticized abuses in the preparations for the games.

POLITICAL RIGHTS AND CIVIL LIBERTIES:

Political Rights: 7 / 40 [Key]

A. Electoral Process: 1 / 12

The 1993 constitution established a strong presidency with the power to dismiss and appoint, pending parliamentary confirmation, the prime minister. Putin served two four-year presidential terms from 2000 to 2008, and remained the de facto paramount leader while serving as prime minister until 2012, violating the spirit if not the letter of the constitution's two-term limit. The March 2012 presidential election was skewed in favor of Putin, who benefited from preferential media treatment, numerous abuses of incumbency, and procedural irregularities during the vote count, among other advantages. He won an official 63.6 percent of the vote against a field of weak, hand-chosen opponents, led by Communist Party leader Gennadiy Zyuganov with 17.2 percent. Under a 2008 constitutional amendment, Putin is set to serve a six-year term, and will be eligible for another in 2018.

The Federal Assembly consists of the 450-seat State Duma and an upper chamber, the 166-seat Federation Council. The 2008 constitutional amendment extended Duma terms from four to five years. The deeply flawed 2011 Duma elections were marked by a "convergence of the state and the governing party, limited political competition and a lack of fairness," according to the

Organization for Security and Cooperation in Europe, but many voters used them to express a protest against the status quo. The ruling United Russia party captured just 238 seats, a significant drop from the 2007 elections. The Communist Party placed second with 92 seats, followed by A Just Russia with 64 and the Liberal Democratic Party of Russia with 56. Truly independent opposition parties were not allowed to run.

Since the 2007 elections, all Duma deputies have been elected on the basis of party-list proportional representation. Parties must gain at least 7 percent of the vote to enter the Duma. Furthermore, parties cannot form electoral coalitions. Russia frequently changes its electoral law, depending on the needs of the current incumbents, and there are ongoing discussions about returning to a system with 50 percent proportional representation and 50 percent single-member districts in the State Duma.

Half the members of the upper chamber are appointed by governors and half by regional legislatures, usually with strong federal input. Since 2011, only locally elected politicians have been eligible to serve in the Federation Council; the change was designed to benefit United Russia, as most local officeholders are party members.

A law signed in May 2012 restored gubernatorial elections, ending the system of presidential appointments dating to 2004. However, the new rules allowed federal and regional officials to screen the candidates for governor. United Russia won the eight gubernatorial elections held on September 8, 2013, the only day for regional elections during the year. In the vast majority of cases, various legal tools were used to prevent opposition candidates from running. United Russia also won more than 70 percent of the seats, on average, in the 16 regions that held legislative elections. In an exceptional case, anticorruption blogger Aleksey Navalny was allowed to participate in the Moscow mayoral election and was officially credited with 27.24 percent of the vote, a surprisingly large share given the essentially rigged nature of the contest. Since incumbent Sergey Sobyenin narrowly avoided a runoff with 51.37 percent, many opposition leaders assumed that the tally was falsified by at least 2 percentage points. Moreover, the campaign took place during the summer, when many residents were away, and Navalny had no access to the main television stations, which lavished praise on his opponent. Yevgeniy Roizman was the most prominent opposition figure to win a mayoral election, succeeding in Yekaterinburg, though the city manager there wields most executive powers. The only other opposition leader of a major city, Yaroslavl mayor Yevgeniy Urlashov, elected in April 2012, was arrested with four of his allies and charged with corruption in July 2013. Urlashov asserted that the arrest was politically motivated. He remained in jail at year's end.

In November 2013, Putin signed a law allowing regional legislatures to lower the number of deputies elected on the basis of proportional representation to 25 percent from the current 50 percent, and making it possible to remove proportional representation completely from the Moscow and St. Petersburg city councils. The move, backed by Sobyenin, will make it easier for progovernment candidates to gain a majority in the 2014 Moscow city council elections.

B. Political Pluralism and Participation: 3 / 16

Legislation enacted in April 2012 liberalized party registration rules, allowing the creation of hundreds of new parties. However, none posed a significant threat to the authorities, and many seemed designed to encourage division and confusion among the opposition. The Opposition Coordinating Council, set up in October 2012 with the hope of unifying opposition strategy, ceased to exist one year later due to a lack of support from the various member groups.

It is exceedingly difficult for the opposition to win representation through the country's tightly controlled elections. However, Navalny was able to exploit the opportunities offered to him by the authorities in the Moscow mayoral election and organized an active campaign backed by 14,000 volunteers, demonstrating that there was significant opposition to the status quo in the capital.

Migration from the Caucasus (including Russia's North Caucasus republics) and Central Asia proved to be a major issue in Moscow's 2013 election. Official crackdowns on ethnic minorities before the voting sent a strong signal that the authorities endorsed widely held anti-immigrant attitudes and hoped to use this populist cause to win support.

C. Functioning of Government: 3 / 12

Corruption in the government and business world is pervasive, and a growing lack of accountability enables bureaucrats to act with impunity. The leadership frequently announces anticorruption campaigns, but their main purpose is to ensure elite loyalty and prevent the issue from mobilizing the opposition. In April 2013, Putin signed a decree forcing state officials to give up any assets they hold abroad, leaving them more vulnerable to disfavor from the Kremlin and less exposed to international human rights sanctions. A crackdown on the finances of the Skolkovo innovation center, a project supported by former president and current prime minister Dmitry Medvedev, was interpreted as a move to discredit Medvedev and his comparatively liberal allies rather than a genuine attempt to root out procurement abuses. In December, Putin set up a new department in the presidential administration to fight corruption, but few observers expected it to produce real results. According to Transparency International, only 5 percent of the population thinks that the government's anticorruption efforts are effective.

There is little transparency and accountability in the day-to-day workings of the government. Decisions are adopted behind closed doors and announced to the population after the fact.

Civil Liberties: 19 / 60 (-1)**D. Freedom of Expression and Belief: 6 / 16**

Although the constitution provides for freedom of speech, vague laws on extremism grant the authorities great discretion to crack down on any speech,

organization, or activity that lacks official support. The government controls, directly or through state-owned companies and friendly business magnates, all of the national television networks and many radio and print outlets, as well as most of the media advertising market. Only a small and shrinking number of radio stations and publications with limited reach offer a wide range of viewpoints. In December 2013, Putin abolished the state-owned news agency RIA Novosti, which had developed a reputation for objective reporting, and folded it into a new entity called Rossiya Segodnya (Russia Today), which would be run by pro-Kremlin television commentator Dmitriy Kiselyov and Margarita Simonyan, the head of RT, the Kremlin's propagandistic international television network. The Kremlin has also increased pressure on formerly outspoken outlets, such as the business newspaper *Kommersant*, which is now considered to be a progovernment publication.

More than 50 percent of Russian households have internet access, and penetration continues to increase. Discussion on the internet is largely unrestricted, but the government devotes extensive resources to manipulating online information and analysis. In November 2012, a broadly worded new law, ostensibly targeting information that is unsuitable for children, created a blacklist of internet outlets. The authorities currently block a wide range of sites that feature anti-Putin articles, Islamist materials, or information about suicide and drugs. In December 2013, Putin signed a similar law that allows the authorities to shut down—within 24 hours and without a court order—websites deemed to promote rioting or to contain extremist information. An antipiracy law adopted in July allows courts to put a temporary ban on websites that film copyright holders believe are distributing their products illegally without first confirming whether the claims are valid. While nominally aimed at protecting property rights, the bill opens the door to closures of websites without cause. Separately, a Moscow court ordered the closure of the online news agency Rosbalt in October on the grounds that its website included videos with obscene language. The agency's lawyers prepared an appeal, and the site continued to operate through the end of the year.

Freedom of religion is respected unevenly. A 1997 law on religion gives the state extensive control and makes it difficult for new or independent groups to operate. The Orthodox Church has a privileged position, working closely with the government on foreign and domestic policy priorities, and in 2009 the president authorized religious instruction in the public schools. Regional authorities continue to harass nontraditional groups, such as Jehovah's Witnesses and Mormons.

Academic freedom is generally respected, though the education system is marred by corruption and low salaries. Recent reforms have cut state spending, eliminated many faculty positions, and increased bureaucracy. In May 2013, the economist Sergey Guriyev, who served as rector of the New Economic School, went into exile to avoid harassment and possible arrest for a report that was critical of the cases against Khodorkovsky. Guriyev had coauthored the report at the request of then president Medvedev. In September, the Kremlin ordered a reform of the Russian Academy of Sciences that forced its research institutes to report to a

new federal agency and essentially took control of their property. Russian intellectuals charged that the reforms gutted what had been a relatively independent organization.

E. Associational and Organizational Rights: 4 / 12

The government has consistently reduced the space for freedoms of assembly and association. Overwhelming police responses, the use of force, routine arrests, and harsh fines and prison sentences have discouraged unsanctioned protests, though pro-Kremlin groups are able to demonstrate freely. The authorities arrested 28 individuals for protesting Putin's inauguration on Moscow's Bolotnaya Square on May 6, 2012, and many continued to face criminal charges throughout 2013. The three sentenced by year's end received penalties including prison terms and, in the case of Mikhail Kosenko, indefinite psychiatric confinement. In late December, Putin amnestied four of the accused, but the rest continued to face charges. On December 31, police arrested opposition activist Sergey Mokhnatkin and charged him with attacking a police officer at a new demonstration. He had been arrested on the same charges in 2009, sentenced to 2.5 years in jail, declared a prisoner of conscience by Amnesty International, and then pardoned by President Medvedev in April 2012. When 30 members of Greenpeace, representing 18 different countries, protested Russian offshore oil production in the Arctic in September by trespassing at a drilling platform, border guards detained them on charges of piracy, later reduced to hooliganism. A court had granted them bail by late November, and Putin amnestied them in December, allowing them to leave Russia.

A law enacted in 2012 required all organizations receiving foreign funding and involved in vaguely defined "political activities" to register as "foreign agents" with the Justice Ministry. Noncompliance can be punished by steep fines and prison terms. Putin demanded that the authorities begin enforcing the law in February 2013, leading to hundreds of raids and inspections of NGO offices. However, the campaign seemed to ease by the summer. Overall, the authorities filed nine administrative cases against NGOs and an additional five administrative cases against NGO leaders for failing to register under the law, according to Human Rights Watch. Courts threw out the charges in nine of the cases. In one important case, the election-monitoring organization Golos was dissolved by the Justice Ministry in June, and its director fled the country. However, members reestablished the group the following month, set up a new website, and helped to monitor the Moscow mayoral election in September. Some regional branches continued to operate. Separately, the Kostroma Public Initiatives Support Center said at the end of October that it would have to shut down if it did not win a Constitutional Court appeal, which was still pending at the end of the year, as it could not afford a 300,000 ruble (\$9,000) fine for failing to register as a foreign agent. The organization's mission was to convene roundtable discussions, some of which included foreigners.

While trade union rights are legally protected, they are limited in practice. Strikes and worker protests have occurred in prominent industries, such as automobile

manufacturing, but antiunion discrimination and reprisals for strikes are not uncommon, and employers often ignore collective-bargaining rights. The largest labor federation works in close cooperation with the Kremlin, though independent unions are active in some industrial sectors and regions.

F. Rule of Law: 2 / 16 (-1)

The judiciary lacks independence from the executive branch, and career advancement is effectively tied to compliance with Kremlin preferences. In June 2013, Putin called for a merger of the commercial courts with the courts of general jurisdiction. Legislation to implement the change, including constitutional amendments, was still under consideration at year's end. The move was expected to harm the business community by reducing the independence of the commercial courts, which have ruled against the state more often than the rest of the judiciary. Seven high commercial court judges resigned to protest Putin's proposal.

In some cases, the courts have moderated or blocked harsh laws. The Constitutional Court overturned a law that banned people convicted of a crime from participating in politics for the rest of their lives in October, removed particularly onerous provisions of the law on demonstrations that imposed heavy fines on demonstrators and undue burdens on organizers in June, and found that citizens had the right to appeal the counting of votes in their specific precincts in April.

The criminal procedure code allows jury trials for serious cases, though they occur rarely in practice. While juries are more likely than judges to acquit defendants, such verdicts are frequently overturned by higher courts, which can order retrials until the desired outcome is achieved. Russian citizens often feel that domestic courts do not provide a fair hearing and have increasingly turned to the European Court of Human Rights. Critics charge that Russia has failed to address ongoing criminal justice problems, such as poor prison conditions and the widespread use of illegal detention and torture to extract confessions. Nadezhda Tolokonnikova, one of two members of the performance group Pussy Riot serving prison time for a 2012 anti-Putin protest action in an Orthodox cathedral, drew attention to the country's inhumane prison conditions in 2013 by going on hunger strike and publishing an open letter about her plight.

The justice system is used as a tool to harass the opposition, forcing activists to defend themselves against what are often blatantly trumped-up charges. Navalny, for example, was sentenced in July 2013 to five years in prison on widely ridiculed embezzlement charges, then released pending an appeal so that he could compete in the stage-managed Moscow mayoral election and lend it a sense of legitimacy. After the election, an appellate court suspended his prison sentence, allowing him to remain free but banning him from running for office again. A few days later, new but similar charges were filed against him, forcing him to go through the process again.

Parts of the country, especially the North Caucasus area, suffer from high levels of violence. Hundreds of officials, insurgents, and civilians die each year in bombings, gun battles, and assassinations. Suicide bombers struck three

times in the city of Volgograd in late 2013, killing 40 people and demonstrating that the violence could spread to other parts of the country. In November, Putin signed a law that increased the number of crimes considered to be “terrorism” and required relatives of perpetrators to pay compensation for terrorist acts. Opponents argued that the law violated the presumption of innocence, marked a return to collective punishment, and would not deter terrorism.

Immigrants and ethnic minorities—particularly those who appear to be from the Caucasus or Central Asia—face governmental and societal discrimination and harassment. In a sign that the federal government is growing concerned about uncontrolled nationalism, Putin signed a law in October giving local authorities more responsibility for managing migration and interethnic relations, and providing for dismissal of municipal leaders who fail to suppress ethnic tensions.

The anti-LGBT law signed in June banned dissemination of information promoting “nontraditional sexual relationships,” building on similar laws passed earlier in a number of municipalities. Putin claimed that the law did not outlaw homosexuality, but it triggered vigilante attacks on LGBT people. There have been at least three prosecutions under the law, and antigay activists have been emboldened to issue threatening statements. Moreover, the authorities have harassed LGBT support organizations under the auspices of the new law and the 2012 “foreign agent” law.

G. Personal Autonomy and Individual Rights: 7 / 16

The government places some restrictions on freedom of movement and residence. Adults must carry internal passports while traveling and to obtain many government services. Some regional authorities impose registration rules that limit the right of citizens to choose their place of residence, typically targeting ethnic minorities and migrants from the Caucasus and Central Asia.

State takeovers of key industries and large tax penalties imposed on select companies have illustrated the precarious nature of property rights in the country, especially when political interests are involved.

Women have particular difficulty achieving political power. They hold 13 percent of the Duma’s seats (down from 14 percent in the previous term) and less than 5 percent of the seats in the Federation Council. Only two of 30 cabinet members are women. Domestic violence against women continues to be a serious problem, and police are often reluctant to intervene in what they regard as internal family matters. Economic hardships contribute to widespread trafficking of women abroad for prostitution.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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